

Appn No. 09/663,701  
Amdt. Dated February 20, 2004  
Response to Office action of January 16, 2004

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## REMARKS/ARGUMENTS

### *Claims*

The Examiner rejected claims 1-34. By this amendment, claims 35-36 have been added. Therefore claims 1-36 are pending in the application.

### *Claim Rejections – 35 USC §102*

Claims 1-7, 9-12, 16-18, 20-27 and 29 were rejected under 35 U.S.C. 102(e) as being anticipated by Dougherty et al. (Dougherty) (U.S. Pat. No. 6,076,734). The rejection is respectfully traversed.

Regarding claims 1 and 20, the Examiner states that Dougherty at col. 7, lines 26-32, discloses “determining, in the computer system and from the indicating data, if the stroke substantially links one or more of said first viewable information zones with one or more of said second viewable information zones.” However, those lines of Dougherty in fact do not disclose linking a first viewable information zone with a second viewable information zone. Those lines of Dougherty refer only to measuring information present within a single region of an encoded medium.

The differences between the disclosure in Dougherty and the present claims 1 and 20 may be clearly seen by referring to FIG. 46 of the present application and FIG. 10 of Dougherty et al. FIG. 46 represents a specific embodiment of the present claims 1 and 20 wherein the “first viewable information zones” include a color palette 501, and the “second viewable information zones” include the images or shapes 505. The strokes of the sensing device are represented in FIG. 46 by lines 502, 503 and 504 between the palette 501 and the various shapes 505. The commands designated by the strokes correspond to coloring the shapes 505 in different ways using colors selected from the palette 501.

On the other hand, FIG. 10 of Dougherty shows only isolated “hot spots” 358, 360, and 362 that are never linked by strokes of the sensor 353. Instead, in FIG. 10 of Dougherty the “hot spots” represent simple uniform resource locators (URLs) that can be selected using the sensor 353. Dougherty does not disclose linking the “hot spots” using strokes of the sensor 353 and, in fact, linking the “hot spots” shown in FIG. 10 of Dougherty would make little sense as each URL is independent of the others and are not related by commands and objects as are the “viewable information zones” of the Applicant’s present claims 1 and 20.

Support for the present claims 1 and 20 and the distinguishing features of these claims relative to Dougherty is found in the present specification at page 76, line 25, through page 77, line 6: “The starting point of the drag stroke is typically the command zone, such as a palette object, and the end point of the drag stroke is the desired location. The location may be indicative of a desired object, or it may have a meaning in its own right. The graphical representation of the draggable command or object is preferably such that it can be recognized by the user as being draggable, as well as being distinguishable from something

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which is normally selected by 'clicking', such as a normal hyperlink. Figure 46 illustrates the dragging of attributes from a color palette 501 and some of the preferred methods by which the drag stroke may identify an object or object feature. For example, when a user wishes to instruct the computer to execute a command with respect to an object (such as an image or a shape 505), a drag stroke from a particular color zone of the palette ending inside the object may be used to designate that object, as is detailed by stroke 502 in Figure 46."

By the present amendments new claims 35 and 36 have also been added to specifically claim the "drag and drop" coloring embodiment of the present invention shown in FIG. 46.

Regarding claims 5 and 24, the Examiner stated that Dougherty discloses at col. 7, lines 1-32, the step of identifying, in the computer system and from said indicating data, if the stroke has encircled one or more of said second viewable zones relating to one or more objects, thereby designating said one or more objects. However those lines of Dougherty do not disclose or suggest encircling an object. Rather, those lines of Dougherty disclose only selecting a region 32 of the encoded medium by bringing a "sensor 12 into close proximity to or in contact with the desired region 32." That is very different from an encircling stroke 504 as illustrated in FIG. 46 of the present invention. Support for the encircling limitation of present claims 5 and 24 is found in the specification at page 77, lines 11-13: "Additionally, when a user wishes to execute a command with respect to one or more objects, a closed loop or lasso at the end of the drag stroke may be used to simultaneously designate multiple objects, as is detailed by stroke 504 in Figure 46."

Regarding claims 7 and 26, the Examiner stated that Dougherty also discloses at col. 7, lines 14-25, at least one of said second viewable zones having a viewable boundary, and including the step of identifying, in the computer system and from said indicating data, if the stroke has crossed said boundary more than once, and to apply a different one or more of said available commands if such an occurrence is identified. However those lines of Dougherty make no mention of crossing a boundary more than once, but again only discuss simple selection of a region 32 with a sensor 12. The present claims 7 and 26 refer for example to the stroke 503 shown in the present FIG. 46. Further support for these claims is found in the specification at page 77, lines 7-10: "However, when a user wishes to execute a command with respect to the outline of an object, a drag stroke doubling back so that it crosses the outline twice may be used to designate the outline feature of the object, as is detailed by stroke 503 in Figure 46."

Regarding claim 11, the Examiner stated that Dougherty at col. 10, line 45, to col. 11, line 17, discloses "wherein said designated feature is a color attribute of said designated one or more objects, and the method includes the step of setting the value of said color attribute according to the designated one or more commands." However those lines of Dougherty refer only to an optional spectral encoding scheme for encoding values within a "hot spot" 250. Whereas such a spectral encoding scheme is related to the structure of a netpage tag 4 according to the present invention and illustrated in FIG. 5a of the present specification, such a spectral encoding scheme has nothing to do with setting the value of a color attribute of an object as defined in claim 11. Neither the present specification nor Dougherty concerns changing the values of an encoding scheme, spectral or otherwise.

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Regarding claim 12, the Examiner again analogized the spectral encoding scheme of Dougherty with the objects of the viewable information zones of the present invention. Such an analogy is incorrect as described above.

Regarding the rejections of the other dependent claims under 35 USC 102, the Applicant asserts that they are now moot in light of the arguments presented above concerning independent claims 1 and 20.

*Claim Rejections – 35 USC §103*

Claims 8 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dougherty in view of Sekendur (U.S. Pat. No. 5,852,434). Further, claims 13-15, 19 and 30-34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dougherty in view of Mondschein (U.S. Pat. No. 4,418,278). The applicant respectfully asserts that these rejections are also rendered moot by the arguments presented above concerning the distinct differences between the disclosure of Dougherty and independent claims 1 and 20.

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*Conclusion*

The present invention as defined in independent claims 1 and 20 is very different from the disclosure of Dougherty. In particular, Dougherty does not disclose at least two viewable information zones, one related to a command and another related to an object, where the zones are linked by a stroke of a sensing device. The present claims are thus patentably distinct from the disclosure of Dougherty. Also, the present specification has been amended to correct several typographical errors and a missing reference numeral, and new claims 35 and 36 have been added to more specifically claim one particular embodiment of the present invention. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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